Judge to See Secret Order In Heine Case

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A secret National Security Council directive to the Central Intelligence Agency is expected to be submitted to the court in connection with the slander suit of an Estonian immigrant described by the CIA as a Soviet agent.

Plans to show the court the secret directive were revealed in a memorandum filed in the case by the attorneys for Juri Raus, 39, a Bureau of Public Roads engineer who is being sued for $110,000 by Erik Heine, 46, of Toronto, Canada.

The directive is expected to be shown only to the judge and the attorneys in the case. The purpose of showing it to the court is to remove any doubt about the CIA's authority to involve itself in the affairs of emigre groups in this country, according to the memorandum filed by Raus' attorneys, Paul R. Connolly and E. Barrett Prettyman Jr.

Heine's attorneys, Ernest C. Raskas and Robert J. Stanford, have argued that the affairs of emigre groups are a matter of internal security and that the CIA has no business in this area.

"It is believed that the National Security Council Directive No. 2 ... attached to the affidavit of Lawrence R. Houston, general counsel of the CIA, satisfactorily answers the plaintiff's contention as to the insufficiency of the agency's authority," the memorandum said.

Connolly and Prettyman argued in their memorandum that emigre groups are an obvious source of foreign intelligence because "the Soviet penchant for maintaining a closed society renders it necessary to develop unconventional sources of information, in order to learn of the current geography and topography of Soviet-dominated countries and the social, economic and political condition of their people."

The Houston affidavit will be the fifth document filed with the Federal District Court in Baltimore by the CIA in connection with the case. In previous affidavits, officials of the CIA have told the court that Raus was employed by the CIA and was instructed to warn fellow Estonians that Heine was "a dispatched Soviet intelligence operative, a KGB agent." Heine has denied the accusation.